

Joe P. Hawkins
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Pittsburg, California 94565

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:)	
)	Docket No. 98-AFC-1c
Application for Certification for the)	Evidence to be presented!!!
Los Medonas Power Plant 98-AFC-1c)	From: <u>Joe P. Hawkins</u>
)	<u>Concerned Citizen Effected</u>
)	<u>In Air Basin</u>

Petitioner Joe P. Hawkins request that 98-AFC-1 be reclassified and that the CEC be obligated to stop the process of 98-AFC-1c on the grounds of Environmental Justice. intervener's in 98-AFC-3, including myself, have sufficiently brought out that this community is not informed properly to what is happening with these power plants being brought here. Also the fact that they do not have the time to fight for themselves due to the fact that they are low income and minorities and have many other issues to deal with that would make this process to stressing for them to have to become involved with. They are your average low income to poverty level people and they have no time for this nor themselves, they are struggling just to make ends meet at the table much less worrying about the Power Plants that they know nothing about.

As evidence to the facts.

Fact 1,

There are already at least 8 existing power plants here in this area. As was disputed in the 98-AFC-3 when I brought this out because I did not have any documents pertaining to this as proof, now I do thanks to the CEC. It will be attached along with this document in the email. It is the 6-9-2000 Memorandum **"ISSUE IDENTIFICATION REPORT—Contra Costa Power Plant, Unit 8 Project"** under the heading **"Environmental Justice"** on the bottom of Page 4 it states **"If approved, Contra Costa Power Plant Unit 8 will be the eleventh power plant in East Contra Costa County."**

Fact 2,

In the same Document under **"Environmental Justice"** at the second paragraph on page 5 it state **"The demographics for Contra Costa County indicate that there are about 46 percent minorities residing within the county; 64 percent minorities residing within the City of Pittsburg; and 30 percent minorities residing within the City of Antioch."** Which is evident that this is a real Environmental Justice Community and should not ever have any more pollution dropped into this area without complete and local only mitigation from already operating and existing sources locally and a decrease in overall local pollution levels. Not Pollution Credits out side the effected air basin of Pittsburg and Antioch.

Fact 3,

Even still there is no discussion of the Poor Population Pockets in any of the Environmental Justice issues which entails all those who are of all nationalities, not just minorities. This has again been ignored in all the CEC's newer findings and papers such as the attached evidence that I have from the 00-AFC-1 as an intervenor. Not one mention of the poor populations. You will find that not only in Pittsburgh but also in Antioch there are poor populations in the effected area's of these numerous power plants and the proposed ones also. Unless you are not really looking which thus far has been the case in the fact that they have been completely ignored in both the 98-AFC-1 and 98-AFC-3 and even up to this point in the 00-AFC-1 not to mention the 98-AFC-1c.

Discussion:

I think that I have a right to intervene in this 98-AFC-1c as it has changed the whole issues and impact areas of the 98-AFC-1 project. Which means that the 98-AFC-1 project no longer exists in its original scope and size. Thus I am requesting that 98-AFC-1 be completely done away with. Mainly because it was an EJ issue to begin with and because it is so close to the poor and minority populations. It does not matter how high the stacks are. That did not change the fact that when the Southern Pittsburgh Power Plant, (Use to be PG&E) releases exhaust it coated the boats at the Pittsburgh Marina so that PG&E bought tarps for all the boats at the Marina which Southern stopped doing as soon as they bought the plant. Those boats finished where effected and those stacks are way higher than the newer proposed power plant stacks. That means that these Poor Minority Populations will also be effected and it will not matter if the stacks are high or not. What goes up must come down. Those particles from the plants exhaust will come into these populations and effect them, and for what. To line some fat cats pocket books. Not worth it to these people who's health will be effected and area already being effected at present. They and the children especially have to suffer while other people get rich off this venture. It is not worth it.

I am not attacking, but to the CEC, you know what is right and what is not. You know the truth about what I have brought out previously in 98-AFC-3 and the health effects and my evidence. You know about xenobiotic effects now thanks to my showing you in 98-AFC-3.

One other thing. It is evident that the Pittsburgh City Council was a part of this transgression in Environmental Justice issues and I and my wife, (I also being a member of CARE who opposed both 98-AFC-1 and 98-AFC-3 in a petition from the El Pueblo HUD district at the Sept. 7th, 1999 Council Meeting), even brought it to their attention at that time. They still voted for this 98-AFC-1 approval. And since then have on March 6th, & 20th, & April 3rd, 2000 had closed session meetings with Calpine. What strikes me as this is Racketeering is that this is a profitable venture for one or both parties and thus they have excluded the public under the guise of a litigation pending. That provision was for litigation in the case as the City possibly being sued by Calpine. That threat was never made by Calpine and thus I find this a false excuse to deceive the public. In other words. Since this was a conspiracy to make money it is illegal in both their actions. To make it worse, The City Council was bed partners with Enron then Calpine in this venture. This is an illegal partnership and has actually broken federal laws of Conspiracy and racketeering to my knowledge. Why would the CEC if it is not a rogue agency wish to be a part of such actions?

The CEC obviously knows that this is an EJ Community. Do you want to continue in as part of a conspiracy to rob these minority and poor populations of a chance for better health?

I believe in giving people chances to make amends. This is the CEC's chance to correct a wrong done to these minority and poor local populations here in Pittsburgh.

Calpine has changed all the parameters of both 98-AFC-1 and 98-AFC-3 and continues to change things and try to ask for even more. Where does it end? They think they have a inch and all of the sudden they want 20 million miles. This is not proper nor fair to these underprivileged ones here. I could see if this would bring hundreds of high paying jobs to the locals but this does not even come close to that.

It is a burden on the health care system that is going to far out-way the benefits that could possibly be had in the local communities. I do not see it. Asthma is rampant here in Pittsburg and in Antioch. Cancer Clusters are identified locally I know of in Antioch.

To top it off the EPA has revised it's estimates of health risks on just one chemical, Dursban which is produced by DOW Chemical. They have found it to be 10 times worse than they thought originally. But they are still taking one chemical at a time and studying it. They are not looking at the Xenobiotic effects of multiple chemicals.

Another thing that has not been addressed. All the extra Natural Gas use during the winter months by the residential communities and how much more a load on the peoples systems that will add to.

One other thing, the medicines polluting the Delta and now we will have more drop out from these power plants on the Delta water ways. And the increase in temperature from the released water after it is filtered by the Delta Diablo Sanitation District.

If you where going to do the right thing. Also stop the Gas line that DEC has planned to put through the Delta Water way. This is a major catastrophe waiting to happen.

There are to many reasons why not to allow Calpine to have both power plants. They do not mitigate their pollution from a existing operating pollution source for all there pollution credits. They instead buy from area's that have nothing to do with the local air here. It is unlawful and inappropriate considering that this is a EJ Community, (Which I even backed that up in 98-AFC-3 when I presented evidence showing the County Hazardous Waste Commission saying it was a EJ Community).

Must I go on?



6-18-2000

Date

Signature

e-mail hawk@california.com